



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT FILLMORE FIELD OFFICE

35 East 500 North  
Fillmore, UT 84631



In Reply Refer to:  
3800  
(U-010)  
UTU-072892

April 11, 2003

CERTIFIED MAIL #7001 1940 0004 6456 0281  
RETURN RECEIPT REQUESTED

### DECISION

SHAYNE CRAPO	:	
665 E BRISTLECONE LN	:	43 CFR 3809
DELTA UT 84624	:	SURFACE MANAGEMENT

### Notice Expired-Reclamation Required

Notice UTU-07892 was filed with this office on November 10, 1998. § 3809.300(a) of the Surface Management regulations requires that an operator wishing to extend his/her notice which was on file as of January 20, 2001, notify the BLM in writing on or before the expiration date, January 20, 2003, and meet the financial guarantee requirements of § 3809.503. The Bureau of Land Management (BLM) did not receive written notification that you wished to extend your notice by January 20, 2003 (extended to January 21, 2003 due to a federal holiday). Because you did not meet the requirements under § 3809.333, your notice, UTU-072892, expired on January 20, 2003.

Pursuant to § 3809.300(d), you may not conduct operations under an expired notice. If you wish to resume operations, you may postpone reclamation if you file either a new notice pursuant to 43 CFR 3809.301 or a plan of operations (plan) pursuant to § 3809.401 within 30 days from receipt of this decision. The performance standards outlined in § 3809.420 and the financial guarantee requirements provided in § 3809.500, et seq., apply to both notices and plans. The notice must be accepted or the plan must be approved, and a financial guarantee accepted prior to any additional earth disturbing activities occurring at this site. If the newly submitted notice is not accepted or the plan is not approved, or you do not timely post the appropriate financial guarantee as requested for either a notice or a plan, you must begin reclamation within 30 days of BLM's decision finding that the new notice or plan or financial guarantee is incomplete or unacceptable.

If you do not submit a new notice or plan within 30 days from receipt of this decision, reclamation must begin on the 31<sup>st</sup> day, and be completed at the earliest feasible time, unless you contact this office

RECEIVED

APR 15 2003

DIV. OF OIL, GAS & MINING



If you wish to file a petition pursuant to regulations § 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellants success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.



Enclosures:

Form 1842-1  
43 CFR 3809 Regulations

cc: Tom Munson, UDOGM (S/027/086)  
Amber and Van Beckstrom, 1888 N 40 W. #43, Provo, UT 84604  
Althea and Loy Crapo, PO Box 1113, Delta, UT 84624  
Kristi and Bill Owens, 729 W HWY 101, Hyrum, UT 84319